S.B.CRIMINAL MISC. BAIL APPLICATION NO.3748/2006

Date : 30.08.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. A.R. Choudhary for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel is that recovery was made and the applicant has been involved in the case on account of enmity, therefore, he may be given benefit of anticipatory bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

Taking into consideration the overall facts and circumstances of the present case and the fact that the

applicant was found sitting on bag which was containing liquor, and on seeing police ran away and thereafter recovery was made, therefore, I do not find it to be a fit case to extend benefit of anticipatory bail to the applicant. Accordingly, the bail application moved by the applicant under Section 438 Cr.P.C. is rejected.

(SATYA PRAKASH PATHAK), J.

vijayant